

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

CenturyTel, Inc. Request for a Partial Waiver  
of Section 43.21(g) of the Commission's Rules

CC Docket No. 86-182

**Petition for Waiver**

CenturyTel, Inc. ("CenturyTel"), through its attorneys, and on behalf of its operating companies regulated under federal price cap regulation, requests a partial waiver of Section 43.21(g) of the Commission's rules, as specified below.<sup>1</sup> Section 43.21(g) requires price cap carriers to report certain information designed to allow the Commission to capture trends in service quality; this information is collected in the Commission's Automated Reporting Management Information System (ARMIS) Report 43-05. CenturyTel requests an indefinite waiver of the Commission's requirement that Report 43-05 include data on the number of completed circuits or service installation orders that were missed for customer reasons. These data are requested in Table I, Row 0111 and Table II, Row 0131 of Report 43-05. CenturyTel's current systems, however, do not track these data in a way that allows CenturyTel to compile them for ARMIS purposes.

Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, allows the Commission to waive its rules "for good cause shown." The United States Court of Appeals for the District of Columbia Circuit has held, and the Commission has acknowledged, that a showing of good cause requires a two-pronged demonstration that "special circumstances warrant a deviation from the

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<sup>1</sup> Today, CenturyTel operates two local exchange carriers under federal price cap regulation, CenturyTel of Alabama, LLC, and CenturyTel of Missouri, LLC.

general rule and such a deviation will serve the public interest.”<sup>2</sup> CenturyTel’s request meets both prongs of this test.

*First*, special circumstances clearly warrant deviation from the general rule. The April, 2004 filing is CenturyTel’s first experience in filing ARMIS.<sup>3</sup> CenturyTel, today a leading provider of integrated communications services to rural markets in 22 states, has grown rapidly over the past several years, largely through purchases of rural exchanges being divested by Bell Operating Companies. In general, CenturyTel has sought and obtained Commission waivers necessary to return these exchanges to rate-of-return regulation. It’s most recent acquisitions, however, were of Verizon lines in Alabama and Missouri that remain under price cap regulation, necessitating the filing of Report 43-05.

CenturyTel has prepared diligently for this filing, having purchased new ARMIS preparation software, dedicated and trained personnel, and participated in industry calls with Commission staff members on numerous occasions to discuss filing requirements. As demonstrated by these efforts, CenturyTel is committed to filing ARMIS reports that are as accurate and complete as possible.

CenturyTel tracks virtually all data elements required to complete Report 43-05, including Tables I and II, which measure CenturyTel’s performance in completing installation of interexchange access and local exchange services. CenturyTel’s systems used to track customer orders, however, have no field separately to track the number of such installations that were

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<sup>2</sup> *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *see also Sprint’s Request for Waiver of ARMIS 43-03 Filing Requirement*, Memorandum Opinion and Order, 13 FCC Rcd 24270, para. 5 (Com. Car. Bur., Acct’g Safeguards Div. 1998).

<sup>3</sup> In addition, CenturyTel anticipates filing ARMIS Report 43-01 in 2005, as it operates both price cap and rate-of-return regulated local exchange carriers that are likely to have exceeded the Commission’s indexed revenue threshold in 2003.

missed for customer reasons, *e.g.*, that the customer requested a different installation date, the premises were not ready, or CenturyTel could not gain access to the premises. CenturyTel instead tracks this information using a general-purpose “comments” field. In order to develop the data needed to populate Table I, Row 0111 and Table II, Row 0131, CenturyTel would need to review manually roughly 75,000 individual orders to determine whether the commitment date was missed for customer reasons. Such a review would be impracticable at best – even if it were to take only one minute to review each record, the task still would amount to some 1250 hours of work.

CenturyTel has begun to explore options to improve the capabilities of its current system for tracking and provisioning service orders. These efforts remain at a preliminary stage. Nevertheless, CenturyTel believes that it would be a better use of scarce resources to seek an improved or a new, modern, state-of-the-art replacement system than it would be to manually count customer service records. While CenturyTel evaluates its options, it proposes to report in Table I, Row 0110, and Table II, Row 0130, the number of installation orders of circuits from interexchange carriers, and the number of installation orders from local service customers, respectively, with no adjustment for those orders that were not completed by the commitment date for customer reasons.

*Second*, the waiver will serve the public interest. CenturyTel believes that any benefit that might result from upgrading its existing systems to automate the collection of these two data elements is far outweighed by the cost of doing so, particularly at a time when CenturyTel is actively investigating options for possibly replacing the entire system. Indeed, CenturyTel believes that no prejudice whatsoever would result from its adoption of this reporting convention. So long as reporting is done in a consistent manner each year, trends in

CenturyTel's service quality will become apparent in the same way they would have absent the waiver. Thus, the fundamental purpose of Section 43.21(g) of the Commission's rules, 47 C.F.R. § 43.21(g), and Report 43-05, will not be compromised.

Moreover, the existing system creates no inconvenience for customers or adverse impact on service. CenturyTel tracks the necessary data, and thus it is available as a record of CenturyTel's dealings with a particular customer. CenturyTel cannot, however, assemble this information in an automated fashion to include in its ARMIS report.

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For the reasons stated above, CenturyTel hereby requests an indefinite waiver of Section 43.21(g) of the Commission's rules to the extent necessary to allow CenturyTel not to populate Table I, Row 0111 and Table II, Row 0131 of the Commission's ARMIS Report 43-05.

Respectfully submitted,

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